

Planning Committee

Wednesday 2 April 2008 7.30pm

**Council Chamber
Civic Offices, Addlestone**

Members of the Committee

Councillors G B Woodger (Chairman), D W Parr (Vice-Chairman), Mrs F M Angell, J R Ashmore, Mrs F J Barden, J Broadhead, J M Edwards, J R Furey, Mrs E Gill, C Knight, M T Kusneraitis, Mrs Y P Lay, Mrs J Norman, Mrs M Roberts and P B Tuley.

AGENDA

Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr B A Fleckney, Administration and Leisure Department, Committee Section, Civic Offices, Station Road, Addlestone (Tel: Direct Line: 01932 425620). (Email: bernard.fleckney@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) Public speaking on planning applications only is allowed at the Planning Committee. For details please contact Mrs T Eeles, the Administrative Section of the Technical Services Department. **(Tel Direct Line: 01932 425174)**

- 5) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

LIST OF MATTERS FOR CONSIDERATION

PART I

Matters in respect of which reports have been made available for public inspection

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PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

- a) Exempt Information
(No reports to be considered under this heading)
- b) Confidential Information
(No reports to be considered under this heading)

GLOSSARY OF TERMS AND ABBREVIATIONS

TERM	EXPLANATION
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
Brownfield land	'Previously Developed Land'. Land which is or was occupied by a permanent (non-agricultural) structure, including the curtilage of the development (therefore includes gardens)
BVPI's	Best Value Performance Indicators. Specified by central government to measure performance on a wide range of Council services
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvement
CIR	Government Circular – document setting out policy which has legal connotations
CLEUD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CLOPUD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development requires planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
CPA	Comprehensive Performance Assessment. An external process to assess the quality of individual Council's Performance (set out in the Local Government White Paper 2001). It brings together evidence from a range of internal and external sources, in addition to an on site inspection, in order to arrive at an overall category
DC	Development Control – the area of planning service that processes planning applications, planning appeals and enforcement work
Design Statement	A design statement is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Structure Plan, Local Plan, Minerals and Waste Plans. Will shortly be replaced by the South East Plan, the Local Development Framework and the Minerals and Waste Frameworks
DTS	Director of Technical Services
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
ES	Environmental Assessment under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD')
GOSE	The Government Office for the South East. This is the local office of the Deputy Prime Minister for the South East region of England
HGV	Heavy Goods Vehicle
LBC	Listed Building Consent
LDD	Local Development Documents – component parts of the LDF
LDF	Local Development Framework. The policy document that will guide development in the Borough up to 2026
LDS	Local Development Scheme - sets out the programme and timetable for preparing LDDs

TERM	EXPLANATION
Listed building	An individual building or group of buildings which require a level of protection due to its architectural interest, historical interest, historical associations or group value
LNR	Local Nature Reserve
Local Plan	The current planning policy document that will be replaced by the LDF
LPA	Local Planning Authority
LSP	Local Strategic Partnership – Leads on the Community Strategy
Material Considerations	Matters which are relevant in determining planning applications
Net Density	As defined in PPG3: Housing. The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips
PCN	Planning Contravention Notice. Formal notice which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action
PD	Permitted development – works which can be undertaken without the need to submit a planning application
PDG	Planning Delivery Grant. An annual grant from central government which reflects the previous year's performance in delivering planning services
P & I	Policy and Implementation – the area of planning service that produces the Local Development Framework, monitors development and supports the Runnymede Business Partnership and Travel Initiative
PINS	Planning Inspectorate
POS	Public Open Space
PPG	Planning Policy Guidance. This is guidance issued by the Secretary of State detailing National Planning Policy within existing legislation
PPS	Planning Policy Statements. The replacement title for PPG
Ramsar Site	A wetland of international importance
RIPA	Regulation of Investigatory Powers Act. Provides limitation on covert surveillance relating to enforcement investigation
SAC	Special Area of Conservation – an SSSI additionally designated as a Special Area of Conservation under the European Community's Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the LDF
SEA/SA	Strategic Environmental Assessment/Sustainability Appraisal – formal appraisal of the Local development Framework
SEEDA	South East England Development Agency
SEERA	South East England Regional Assembly – based in Guildford. Responsible for producing South East Plan
Sec. 106	A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
South East Plan	Regional Planning Document produced in draft form by SEERA. Will provide regional planning guidance and housing targets for individual Councils for the period up to 2026
SPA	Special Protection Area. An SSSI additionally designated a Special Protection Area under the European Community's Directive on the Conservation of Wild Birds 1979
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest
Structure Plan	Strategic guidance for the whole county produced by Surrey County Council. Will eventually be replaced by the South East Plan

TERM	EXPLANATION
SUDS	Sustainable Urban Drainage Systems. Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water
Sustainable Development	Sustainable development is the core principle underpinning planning. It is defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs"
TA	Transport Assessment – assessment of the traffic and transportation implications of a development proposal
TPO	Tree Preservation Order – where a tree or trees are formally protected and prior consent is needed for pruning or felling
TRICS	Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England
Use Classes Order	Document which lists classes of use and permits certain changes between uses without the need for planning permission

1. FIRE PRECAUTIONS

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire or other emergency.

2. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

3. MINUTES

To confirm and sign the Minutes of the meeting of the Committee held on 26 February 2008 as a correct record (Appendix 'A').

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

6. PLANNING APPLICATIONS

A list of planning applications to be determined by the Committee is attached.

If Members have particular queries or interests in certain applications, the application files will be available for inspection and Officers present from 7.00 p.m. prior to the meeting in the ante room of the Council Chamber. This will be an informal opportunity for Members to see further details of applications and representations and to discuss and clarify issues. Copies of all letters of representation will also be placed on the table in the Chamber prior to the meeting and will be available for inspection by Members.

OFFICERS' RECOMMENDATION that -

the said applications be determined as indicated and any permission granted be subject to the conditions authorised.

(TO RESOLVE)

Background Papers

A list of background papers is available from the Technical Services Department.

7. VALIDATION OF PLANNING APPLICATIONS (DTS)

1. Purpose of Report

- 1.1 **The purpose of this report is to inform the Committee about the results of the public consultation on the proposed Validation of Planning Applications document.**

2. Background Information

- 2.1 Members received a report on 20 February 2008 advising the Committee about the new national planning application form and associated procedures for the validation of planning applications. These come into effect on 6 April 2008. As part of this new procedure, each local planning authority is required to publish lists of local information required in support of different types of planning application, following a period of consultation with relevant stakeholders.
- 2.2 Following the publication of the consultation document, the Government has issued an amendment to the Town and Country Planning (General Development Procedure) Order and Circular 02/2008 which defines the secondary legislation and provides further guidance on the use of the standard application form and the new arrangements for validation.
- 2.3 Public consultation on this Council's proposed validation requirements took place between 1 February and 14 March 2008. The relevant statutory consultees were notified, as well as local residents groups and amenity societies, together with agents and developers who are active in the Borough. Nine responses have been received. This report summarises the responses, and recommends amendments to the Validation Document for Members' approval. The amended document also incorporates Members' comments made at the previous Committee meeting about formatting and layout. The amended version is included at Appendix 'B'. The Annexes referred to in the document are not attached.

3. Summary of Responses

- 3.1 County Highway Authority has recommended standard requirements for all local planning authorities in Surrey:

- Transport Assessments in accordance with government guidance March 2007,
- Travel Plans to be in accordance with SCC Good Practice Guide,
- Planning Infrastructure Charge to be in accordance with SPG
- Design of residential estate streets to be in accordance with Manual for Streets

Comment

- 3.2 ***The consultation document already refers to the first three requirements; it is recommended that the section on Transport Assessments should refer to the need for roads to be designed in accordance with Manual for Streets.***

- 3.3 Surrey Bat Group commend the introduction of indicative thresholds for ecological assessments, but consider household developments may also have implications for protected species. They recommend that reference is made to the advice of the Association of Local Government Ecologists (ALGE) regarding thresholds for surveys. They also oppose the proliferation of wind turbines near to bat roosts or on bat flight paths.

Comment

- 3.4 ***Bats and other protected species are protected by legislation including the Wildlife and Countryside Act 1981 and it is an offence to harm the animal or its roost. Due to the number of protected species, it is not considered expedient to include validation procedures covering all species and for all types of application given the overriding protection by the national and European legislation. However, it is recommended that the validation document draws this issue to the attention of householder applicants,***

and reference included regarding further advice available from the ALGE. The comment about wind turbines is noted but this expresses a policy view which the validation document is not able to consider.

- 3.5 Thames Water supports the inclusion of a Foul Sewage and Utilities Statement in the list of documents that may be required, but suggests that the threshold for requiring such a statement should be reduced from 50 dwellings to 10 dwellings and all commercial development. Thames Water also suggest that applicants should obtain a letter from the utility company to confirm that capacity exists within the network which should accompany a planning application. In relation to SUDS, Thames Water advises that this approach may not be appropriate for use in all areas, for example in areas of high water tables or clay soils.

Comment

- 3.6 ***It is acknowledged that new development will have an impact on existing sewer capacity to varying degrees, and can often be the subject of considerable concern of existing occupiers. The request to lower the threshold to 10 dwellings and any new commercial development could be considered to lead to onerous burdens on applicants. In the absence of detailed evidence, officers do not have sufficient experience to be in a position to contest this request. It is therefore recommended that the section on Foul Sewage be amended to require applicants proposing 10 dwellings or more and all new commercial development, to provide a letter from the utility company (within the previous 3 months) to confirm that capacity exists in the network, within the Foul Sewage and Utilities Statement. However, it is recommended that this reduced threshold is monitored and reviewed. The comments about the limitations of a SUDS approach to drainage are acknowledged, and it is recommended that the section on SUDS be amended to refer to the need to consider an alternative approach in the event that SUDS is not appropriate.***

- 3.7 A letter has been received from a local architect raising criticism of the approach of following Government policy guides, and that these policies should be applied in a manner appropriate to the development. He considers that the planning system is becoming over regulated and bureaucratic.

3.8 **Comment**

The Government's advice is that if a local planning authority does not publish a local list of requirements, then by default only the national requirements will apply. These only cover the technical matters of planning fee, location plan, completed form and basic plans, and do not cover any other material that may be required to fully consider the merits of a proposed development. It is therefore essential for Runnymede to adopt a validation document which is tailored to the requirements of the Borough. It has always been the case that additional information is only required when absolutely necessary, and this approach will not alter with the new validation procedure. It is envisaged that the document will be of considerable assistance to applicants as it highlights the circumstances where supplementary information is likely to be required, and may avoid a proportion of developments attracting a refusal of planning permission on technical grounds.

- 3.9 The Environment Agency has submitted comments on a number of validation requirements including comments that additional clarification is required about the need for Flood Risk Assessments in Zones 2 and 3 for all development types in accordance with PPS25; biodiversity, contaminated land and air quality assessments; requirements for non-mains drainage systems such as septic tanks; and water efficiency.

3.10 **Comment**

The Environment Agency refers to the strict requirements of PPS25 with regard to the circumstances requiring Flood Risk Assessments. It is therefore considered expedient for the validation document to closely reflect Government guidance but with clarification that small householder development would not need to provide a full FRA, in accordance with established standing advice. The comments about the need for various assessments are reflected already in the validation document. However,

an additional requirement for water efficiency and conservation measures is considered helpful and would further encourage more sustainable development.

- 3.11 The Surrey Heritage Officer has requested certain amendments: that the document refers to PPG16: Archaeology and Planning, that an Archaeological Statement be required where necessary, the requirements for Design and Access Statements in relation to listed buildings; and impact of utilities on archaeological remains.

3.12 **Comment**

These points are noted and amendments proposed accordingly.

- 3.13 Comments have been received on behalf of the Mobile Operators Association raising no objection to the validation criteria for planning applications. However, they raise objection to the requirements for prior approval applications which they advise are not mandatory, particularly the requirement to submit a map showing a site's relationship to schools and other telecommunications.

3.14 **Comment**

Since the validation document was agreed for consultation by the Planning Committee, the Government has issued Circular 02/2008: Standard Application Form and Validation, dated 12 March 2008. The circular for the first time states that the new provisions relating to the validation of planning applications do not apply to applications for prior approval. Therefore, it is proposed to amend the document to clarify that the local list of requirements is for advisory purposes only.

- 3.15 Comments have been received from Barton Wilmore on behalf of Crest Nicholson and Morley Fund Management stating that the document lacks clarity and justification for items in the local list not covered in the Government's suggested list and unnecessary guidance has been included. The developer suggests that the exact circumstances should be clarified to set out exactly when each document would be required and does not state when obligations will be required.

3.16 **Comment**

The comments are noted. It is not considered expedient or appropriate to identify all the possible permutations requirements for all applications. The Government's document 'The Validation of Planning Applications December 2007' para 19 states that "The overall content of a local list will be at the discretion of the local planning authority. However, as a minimum where national policy requires the provision of certain information this must be specified on the list if it is relevant. For example, a flood risk assessment described in Planning Policy Statement 25 must be provided in circumstances where it is a requirement." The approach adopted in defining a list for Runnymede has closely followed the Government advice. The local list therefore includes the Government's suggestions where appropriate but also includes requirements for information pursuant to Government planning policies and development plan policy requirements, for example in relation to renewable energy measures and development in the Green Belt which is a principal policy matter for the Borough. The Government's document identifies the purpose of the new validation arrangements in para 14, including: "to enable the local planning authority to have all the necessary information to determine the application and to draft the planning permission and all conditions" and "to minimise the need for further submission of additional information or order to allow local planning authorities a reasonable opportunity to determine applications within the Best Value Performance Indicator targets". The inclusion of the items in the Runnymede local list will achieve these objectives. The local list is wide ranging and is considered to be the most effective and efficient at this inaugural stage of this new validation procedure. This will help applicants to be certain about what is required to submit a full application and avoid delays. The Government required that full consultation take place on the local lists which has been undertaken. This has ensured that the list is clear and transparent to potential applicants. If an applicant chooses not to submit relevant information from the local list, then a written justification has to be provided. As requirements change in the future, the list will be reviewed and updated. The

comments in relation to obligations are covered in the adopted Supplementary Planning Guidance on Planning Obligations.

- 3.17 The Theatres Trust makes no comment except that a planning application proposing changes of use involving a theatre should be accompanied by a full justification.

3.18 Comment

These comments are noted.

4. Other Amendments Recommended

- 4.1 With regard to sites within the Flood Plain, Flood Risk Assessments (FRA) are required for most new developments to ascertain level of flood risk of the site and surrounding areas. In addition, PPS25 introduced the concept of Sequential and Exceptions Tests to establish the principle of locating sensitive development in the highest risk flooding areas, ie Flood Zones 3a and 3b. It is therefore considered expedient to require applicants to provide evidence with an application to enable a sequential test to be carried out, and for the applicant to demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk. It is therefore recommended that this requirement be added to the local list requirements.
- 4.2 The Borough is subject to localised flooding which could affect future development. Pending the preparation and adoption of the Strategic Flood Risk Assessment for the Borough, it is considered expedient to include a reference to this local feature, in particular the area in and around Egham Hill and Spring Rise, Egham so that applicants are aware of the situation.
- 4.3 The Council's adopted Supplementary Planning Guidance on Planning Obligations comes into effect on 1 April 2008. The consultation version of the Validation Document included a short reference to Planning Obligations but in view of the new SPG it considered that it would be of assistance to applicants to provide further clarification of the requirements of the SPG with regard to the new infrastructure tariff by the inclusion of the following:
- All relevant new development will be required to contribute to improvements to infrastructure by way of the standard tariff as stated in the SPG;
 - All major development will be required to contribute to infrastructure tariff, but in addition there may be individual negotiations required in relation to other obligations; and
 - Clarification that in respect of sites engaged by the Thames Basin Heaths SPA, the existing procedure is retained whereby applicants are required to submit a separate completed unilateral undertaking with an application.

5. Resource Issues

- 5.1 There are no direct resource issues although it is anticipated that a considerable amount of officer time will be devoted to assisting applicants during the early stages of the new application and validation regime.

6. Conclusions

- 6.1 The Government has introduced a new national standard planning application form and associated information requirements for the validation of applications from 6 April 2008. The overall aim is to provide a quicker, more predictable and efficient planning service. In accordance with the Government guidance, guidance on local validation requirements has been prepared and has been the subject of consultation with stakeholders. Following the consultation period, the local validation requirements have been amended to take account of responses received and the previous comments expressed by the Planning Committee. The amended document will be published on the Council's website and will come into effect on 6 April 2008.

OFFICERS' RECOMMENDATION that –

the Validation of Planning Applications document, as amended following public consultation, be agreed and adopted for use with effect from 6 April 2008.

(TO RESOLVE)

Background Papers

Responses from consultees.

8. LOCAL DEVELOPMENT FRAMEWORK – BIODIVERSITY AND THE NATURAL ENVIRONMENT ISSUES & OPTIONS (DTS)

1. Purpose of Report

1.1 **The purpose of this report is to receive the views of the Committee on the Local Development Framework – Biodiversity and Natural Environment Issues and Options Topic Paper (BIOP) attached at Appendix 'C'.**

1.2 **This paper was considered by the Local Development Framework Members' Working Group on 10 and 25 March 2008.**

2. Background Information

2.1 The BIOP is a key document that identifies the biodiversity and natural environment issues that need to be considered when developing policy options that the public should be consulted on during the process of preparing the Local Development Framework (LDF). The Issues and Options stage of preparing the LDF was explained at the Planning Committee meeting on 26 February 2008.

3. Policy and Technical Considerations

3.1 The BIOP paper attached at Appendix 'C' contains evidence about Runnymede's natural environment, considers key areas of national and strategic policy guidance and sets out the key issues in Runnymede and the policy options for consultation.

3.2 Biodiversity and Geological Conservation (PPS9) is the key government policy guidance on biodiversity. Paragraph 5 requires that the Local Development Framework (LDF):

'Indicate the location of designated sites of importance for biodiversity and geodiversity, making clear distinctions between the hierarchy of international, national, regional and locally designated sites'. It should also 'identify any areas or sites for the restoration or creation of new priority habitats that contribute to regional targets, and support this restoration or creation through appropriate policies'.

In addition to avoiding, mitigating and compensating for harm, PPS9 requires that planning policies seek ways to conserve, enhance and restore biodiversity and geology.

3.3 *Paragraph 10 on Ancient Woodland and Other Important Natural Habitats states that:*

'Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection. They should not grant planning permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Planning authorities should encourage the conservation of such trees as part of development proposals.

3.4 Paragraph 13 Previously Developed Land states:

'The re-use of previously developed land for new development makes a major contribution to sustainable development by reducing the amount of countryside and undeveloped land that

needs to be used. However, where such sites have significant biodiversity or geological interest of recognised local importance, local planning authorities, together with developers, should aim to retain this interest or incorporate it into any development'.

3.5 Paragraph 14 Biodiversity within Developments states:

'Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate.'

3.6 Good practice guidance on delivering the policies in PPS9 is provided by 'Planning for Biodiversity and Geological Conservation: A Guide to Good Practice'. Paragraph 2.3 in the Guide lists the evidence base information that needs to be assembled to identify the environmental assets within an area. Maps 1 to 8 in Appendix 'C' identify biodiversity assets within the Borough.

4 Biodiversity Objectives for Runnymede

4.1 The Sustainable Development Objectives that underpin the Runnymede LDF, have been derived from the Draft Regional Sustainability Framework, and were approved by the Planning Committee for consultation on 26th February 2008. The Objectives relating to biodiversity are set out below.

Sub-Objective 1(l): To provide, promote and ensure good access to recreation, leisure and cultural facilities for all who live, work in or visit Runnymede.

Sub-Objective 2(a): To conserve and enhance the Borough's biodiversity

Sub-Objective 2(b): To ensure that the Green Belt serves its strategic and spatial planning purposes of defining the boundaries and extent of the Borough's built up areas, separating settlements, maintaining openness and controlling urban sprawl.

Sub-Objective 2(d): To maintain and improve the chemical and biological quality of the Borough's rivers and ground waters, and to achieve sustainable water resource management

Sub-Objective 2(g): To protect and enhance the quality of the natural environment, the countryside and open spaces in Runnymede.

Sub-Objective 2(i): To reduce air pollution and to improve air quality.

5. Key Biodiversity Issues

5.1 The key issues below are taken from section 9 of the attached BIOP:

- a. Do we need to protect and enhance more sites than those that are statutorily designated and identified?
- b. Should we conserve and enhance biodiversity and the natural environment and what are the implications for development?
- c. Can land owners in Runnymede enhance the biodiversity and environmental quality of their land, whilst deriving an income from its use?
- d. To note the interim approach on the Thames Basin Heaths SPA.
- e. What are the implications for development of the need to both protect and enhance biodiversity and the natural environment.

6 Consultation Options

6.1 **a. Should LDF policies protect and enhance a wider range of sites and habitats?**

Options include:

- i) Only protect statutorily designated sites in Runnymede - currently 1 Ramsar site, 5 SSSIs and 1 SAC (see Map 1)
- ii) Provide LDF policy protection to the 35 locally designated SNCIs including 1 LNR (see Map 1)
- iii) Provide LDF policy protection to areas and corridors that perform a wider biodiversity function and protection to open spaces that are valued by local communities for their environmental qualities. (See maps 4, 5 and 8 and the Runnymede 2006 Open Space Survey.)
- iv) In relation to ii) and iii) above consider whether such sites and corridors should be specifically protected from development, or whether more general planning policies that prevent development in the Green Belt and on urban open space are sufficient to both prevent their loss and improve their biodiversity value.

b. Can we conserve and enhance biodiversity?

6.2 The options below are not mutually exclusive:

- i) Carry out surveys, within the resources available, of all statutorily protected sites to assess change in environmental quality, and the numbers and condition of wildlife species and habitats, and ensure that management plans are prepared and implemented to enhance them.
- ii) Identify other areas such as SNCIs, ancient woodland, flooded gravel pits, green corridors and river corridors that are locally significant as habitats or that act as wildlife corridors for the movement and migration of animals and plants; and consider how to protect, conserve and enhance their environmental value, within the resources available, including whether this would act as a constraint to development.
- iii) Review the 35 SNCIs in Runnymede if resources are available and commission Surrey Wildlife Trust (SWT) to carry out a survey of all ancient woodland sites below 2 hectares in size in the Borough.
- iv) In relation to both (i) and (ii) above – identify the environmental and public access management measures that need to be put in place and the resources that need to be mobilized to protect and enhance their biodiversity features and the contribution that they make to the quality of life of the local and visiting public.

6.3 If conservation i.e. both protection and enhancement of biodiversity is to be achieved on both 'protected' sites and within Runnymede's wider "green" environment, then greater knowledge about the Borough's environmental assets is needed. More knowledge about the condition of sites and changes to their environmental quality and biodiversity value is needed if we are to identify the environmental management measures that should be undertaken to conserve and enhance them. Given that 78% of the total area of Runnymede is in the Green Belt, and that there are also a large number of publicly accessible open spaces within the urban areas as well as large areas with low density development, the amount of actual green space in the Borough is significant. However, we know very little about the biodiversity of most of this green space apart from the detailed and infrequent surveys that have been carried out on the SSSIs, SAC, SNCIs and LNR identified in Map 1.

6.4 The last survey of SNCIs in Runnymede was carried out in 2003 and surveys by the Surrey Wildlife Trust have now recommenced in Surrey, Runnymede is likely to be in the latter part of the review of sites. It will be difficult to assess in the near future the biodiversity value of much of the Borough's green space apart from using secondary sources of information such as the Council's own 2006 Open Space survey, its designation of 6 SANGS sites around the Thames Basin Heaths Special Protection Area and the Maps in the appendix that show the generalized

areas where there may be sites of biodiversity value. Within the resources available we need to carry out a wider assessment of biodiversity concentrating on these areas so that we can then decide whether it would be appropriate to identify further sites that should be protected and enhanced for their biodiversity value, and whether the LDF should include a policy to achieve this. Any such policy would also need to consider whether this would have the effect of constraining development or impose additional unacceptable costs on development if enhancement measures were required.

7. c. Can land owners in Runnymede be encouraged to enhance biodiversity?

7.1 The options below are dependant on land owners applying for funding from DEFRA, or carrying out environmental farming and land management practices using their own resources, or using the land to produce and market food that has been grown or reared in a more environmentally friendly way, such as by meeting consumer demand for locally produced, natural and organic foods. The options below have little to do with planning policy except where farm diversification would result in a change of use of land or buildings, or if additional agriculture related development were sought in a planning application. However, some of the initiatives proposed below could be pursued through the Sustainable Community Strategy.

7.2 The Options below are not mutually exclusive:

- i) Encourage farmers to apply for funding under the Single Payments scheme which rewards farmers for environmentally friendly farming practices.
- ii) Encourage farmers to apply for the Environmental Stewardship scheme which allocates funding either at an entry level or at a higher level for actions such as not cutting hedges and not cultivating field margins so as to increase biodiversity.
- iii) Encourage farmers to diversify into organic food production using no fertilizers.
- iv) Encourage large land owners such as the Crown Estate to manage their land for biodiversity rather than for intensive agriculture.
- v) Resist planning applications that promote development or change of use that result in more intensive agricultural practices and loss of biodiversity, balanced against the economic needs of farming, and support those developments that enable agricultural businesses to improve the biodiversity value of the land.
- vi) Raise awareness among property owners of 'gardening for wildlife' and other schemes and encourage garden centres and retailers to provide information, incentives and sponsorship to promote garden habitants and wildlife.
- vii) Raise environmental awareness among school children and their parents.

8. d. The Thames Basin Heaths' Special Protection Area

8.1 At present the Council operates a policy that allows housing development within the 400 metre to 5.2 kilometre travel distance area around the Thames Basin Heath Special Protection Area (SPA). Natural England has accepted that to date six Suitable Alternative Natural Green Spaces (SANGS) owned by the Council provide an alternative location for people to use as recreational space rather than visiting Chobham Common or other SPA areas. The SPA issue is a wider one that affects 11 other local authorities in the sub region. A Regional Steering Group under the auspices of SEERA has been set up to provide guidance on how the 11 planning authorities can resolve the longer term problem of how to address the SPA issue so that housing development is less constrained in the longer term. .

8.2 The Council commented on SEERA's draft Interim Strategic Delivery Plan for the SPA at the Planning Committee on 26 February 2008. The Council will continue to operate its own Thames Basin Heaths SPA Interim Advice adopted in March 2007.

9. e. **What are the implications for development of the need to both protect and improve the natural environment and biodiversity?**

9.1 The Options below are not mutually exclusive:

- i) View biodiversity as a development constraint – i.e. not permit development on or affecting sites that have been identified as having biodiversity value. This could be limited to existing statutorily listed sites or include a wider range of sites such as those identified in para 6.1 above.
- ii) View development as an opportunity to enable biodiversity improvements. On all development sites over 0.5 hectare in size, maintain and enhance the biodiversity of the site by requiring the developer to carry out an assessment of the value of existing habitats and species, and enter into an agreement, or satisfy planning conditions that require the creation and funding of measures to create or enhance habitats such as ponds and hedgerows and protect specific plant and animal species.
- iii) Where development is proposed that would result in a loss of biodiversity require the creation of and funding for replacement habitats, or the enhancement of existing habitats elsewhere.
- iv) The design of new development should include the provision of green roofs and rainwater harvesting. In locations subject to flood risk, rainfall should be allowed to permeate into the ground and consideration should be given to creating swales and provide green landscaping that has the capacity to retain water and create wetland habitats.
- v) When assessing whether a green field site with biodiversity potential should be released for development, or when assessing such a site that is subject of a planning application, ensure that an appropriate assessment has been carried out that gives weight to its biodiversity value.
- vi) On all sites where there is a need to protect or enhance biodiversity, require the developer to carry out an environment survey that identifies habitat quality and species.
- viii) Ensure that appropriate planning conditions are attached to planning consents where biodiversity can and should be improved, and ensure that tree planting, landscaping and habitat creation conditions are implemented.

10. Council Policy

10.1 Council policy on biodiversity and the natural environment will be guided by the policies that are developed in the LDF Core Strategy, and will also be reflected in the Sustainable Community Strategy.

11. Legal Issues

11.1 The LDF Issues and Options papers have been prepared in accordance with government guidance on the LDF process (especially PPS12 – 'Local Development Frameworks')

12. Financial Resources Implications

12.1 Funds will need to be identified to carry out the surveys of SNCIs and Ancient Woodland identified in paragraphs 6.2 and 6.4 above. In the 2003 round of surveys approximately £25,000 was set aside for this purpose. Your Officers will explore the possibility of sharing the costs of such surveys with Surrey County Council and identify the timing and work involved.

13. Sustainability

13.1 The BIOP will be subject to a Sustainability Appraisal and a Strategic Environmental Assessment

14. Conclusion

14.1 The BIOP has been prepared to provide the evidence base for the Issues and Options stage of the LDF. It sets out the main biodiversity issues that need to be addressed in the LDF and the natural environment policy options that the Council should consult on.

OFFICERS' RECOMMENDATION that -

- i) Biodiversity and Natural Environment Issues and Options paper be approved for consultation; and**
- ii) the Chairman and Vice Chairman, in consultation with the Director of Technical Services, be authorised to make technical and drafting changes to the Biodiversity Topic Paper for consultation.**

(TO RESOLVE)

Background Papers

None

9. APPEAL DECISIONS

The Planning Inspectorate has recently determined the appeals mentioned below. The appeal decisions are attached at Appendices 'D' and 'E'.

<u>Site/Development</u>	<u>Decision</u>
Coltscroft, Rosemary Lane, Thorpe - planning appeal regarding construction of a turning area at end of existing roadway; repair and maintenance of existing roadway.	ALLOWED
220 Chertsey Lane, Staines - enforcement appeal regarding use of land for a vehicle hire business specialising in stretched limousines.	ALLOWED

(FOR INFORMATION)

Background Papers

Appeal decisions.

10. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES (DTS)

A list of planning applications recently determined by the Director of Technical Services under his delegated powers is attached at Appendix 'F'. If Members have any particular matters they wish to raise, prior notice to the Chairman would be of assistance.

(FOR INFORMATION)

Background Papers

None

11. EXCLUSION OF PRESS AND PUBLIC

If Members are minded to consider any of the foregoing reports in private it is the

OFFICERS' RECOMMENDATION that -

the press and public be excluded from the meeting during discussion of the following reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Part I of Schedule 12A of the Act.

(TO RESOLVE)

PART II

Matters involving Exempt or Confidential information in respect of which reports have not been made available for public inspection.

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)